

REMARKS

Applicant acknowledges with great appreciation the allowance of claims 1-6, 9 and 10 on the Office Action Summary.

This application has been amended in a manner to place it in condition for allowance.

Status of the Claims

Claims 17-25 are cancelled without prejudice.

Claims 1-6, 9 and 10 remain in this application.

Amendment to Title

The title of the present application has been amended to be consistent with the remaining allowed claims.

The title has been amended from "Method for Altering Fatty Acid Composition of Milk" to "Method of Determining Fatty Acid Composition of Milk".

Claim Rejections-35 USC §112

Claims 17-24 were rejected under 35 U.S.C. §112, first paragraph, for not complying with the written description requirement.

Although Applicant respectfully disagrees, this rejection has been rendered moot in view of the cancellation of these claims.

Claim Rejections-35 USC §102

Claim 25 was rejected under 35 U.S.C. §102 (e) as being anticipated by Elliot et al. WO 9614577.

Claim 25 was rejected under 35 U.S.C. §102 (b) as being anticipated by McLachlan U.S. 6,570,060.

These rejections are rendered moot by the cancellation of claim 25.

Double Patenting

Claim 25 was rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over each of U.S. Patent No. 6,570,060 (claims 1-22), U.S. Patent No. 7,094,949 (claims 1-19), U.S. Patent No. 7,157,616 (claims 1-8), and U.S. Patent No. 7,629,119 (claims 1-15).

These rejections are rendered moot by the cancellation of claim 25.

Conclusion

In view of the amendment to the claims and the foregoing remarks, this application is in condition for allowance at the time of the next Official Action. Allowance and passage to issue on that basis is respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our credit card which is being paid online simultaneously herewith for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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